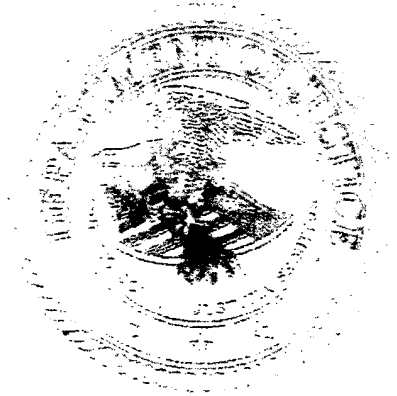


EXHIBIT “A”

EXHIBIT “A”



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COPY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

P R O C E E D I N G S

B E F O R E T H E

F E D E R A L G R A N D J U R Y

TESTIMONY OF

LARRY WOOTEN

TAKEN AT LAS VEGAS, NEVADA

WEDNESDAY, SEPTEMBER 2, 2015

AT 11:51 a.m.

PRESENT: A QUORUM OF THE FEDERAL GRAND JURY

STEVE MYHRE
FIRST ASSISTANT UNITED STATES ATTORNEY
DEPARTMENT OF JUSTICE
333 LAS VEGAS BLVD. SO. #5000
LAS VEGAS, NEVADA 89101

NICHOLAS DICKINSON
ASSISTANT UNITED STATES ATTORNEY

NADIA AHMED and ERIN CREEGAN
SPECIAL ASSISTANT UNITED STATES ATTORNEYS

REPORTED BY: BONNIE TERRY

FREE STATE REPORTING, INC.
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Balt. & Annap. 410-974-0947

1	<u>E X H I B I T S</u>		
2	<u>G. J. Exhibit No.</u>	<u>Description</u>	<u>Page</u>
3	2	PowerPoint Slide No. 2	50
4	3	Judgment and order	5
5	4	July 9, 2013 court order	8
6	5	Oct. 8, 2013 court order	11
7	22	Gold Butte impound map	15
8	23	Map	21
9	24	Close-up map of 170	23

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Court Reporting Transcription
D.C. Area 301-261-1902
Balt. & Annap. 410-974-0947

1 P R O C E E D I N G S

2 Whereupon,

3 LARRY WOOTEN

4 was called as a witness and, after first being duly sworn
5 by the Foreperson of the Grand Jury, was examined and
6 testified as follows:

7 GRAND JURY FOREPERSON. Please state and spell
8 your name for the court reporter?

9 WITNESS. My name is U.S. Department of Interior,
10 Bureau of Land Management Special Agent Larry Wooten,
11 L-a-r-r-y, Wooten, W-o-o-t-e-n.

12 GRAND JURY FOREPERSON. Thank you. Please be
13 seated.

14 EXAMINATION

15 BY MS. AHMED:

16 Q. Good morning, Special Agent Wooten.

17 A. Good morning, ma'am.

18 Q. You're currently a special agent with the Bureau
19 of Land Management, correct?

20 A. Yes, ma'am.

21 Q. How long have you held that position?

22 A. Approximately three years.

23 Q. Do you have any prior law enforcement experience?

24 A. Yes, I do.

25 Q. What is that?

1 A. Prior to being a special agent with the Bureau
2 of Land Management, I was a special agent with the Drug
3 Enforcement Administration, DEA. Prior to that I was a
4 uniformed law enforcement officer with the U.S. Forest
5 Service. And then prior to that, I was a Virginia State
6 law enforcement officer as a game warden for Natural
7 Resources, a conservation officer with Virginia.

8 Q. How many years have you been a law enforcement
9 officer?

10 A. Approximately 12 years.

11 Q. Are you currently -- what is your current
12 assignment within the BLM?

13 A. I'm a member of what's considered the Gold Butte
14 Investigative Team. I'm a special agent criminal
15 investigator whose primary role is to conduct long-term,
16 complex -- investigations.

17 Q. Is the Gold Butte Investigation also known as the
18 case of the United States versus Cliven Bundy?

19 A. Yes, ma'am.

20 Q. Can you describe your general duties with respect
21 to this investigation?

22 A. I gathered a significant amount of historical
23 data and compiled that into a form, which was easily
24 searchable and understandable, and I gathered quite a bit
25 more evidence and interviewed witnesses.

1 Q. How long have you been investigating this case?

2 A. Since May of 2014.

3 Q. Through your investigation, are you familiar with
4 the events that took place in April 2014 relating to the
5 BLM seizure of cattle belonging to Cliven Bundy pursuant to
6 federal court orders?

7 A. Yes, ma'am.

8 Q. In order to become familiar with those court
9 orders, have you reviewed the public record in relation to
10 this investigation?

11 A. Yes, ma'am, I have.

12 Q. I'm going to place on the projector a document
13 that's been labeled Grand Jury Exhibit No. 3.

14 (Whereupon, Grand Jury
15 Exhibit 3 was identified for
16 the record.)

17 BY MS. AHMED:

18 Q. Do you recognize this document?

19 A. Yes, ma'am, I do. The first page is a judgment
20 and it's a Judgment and Order in a civil case in reference
21 to the United States v. Cliven Bundy.

22 Q. Are you aware of the date that this document was
23 entered?

24 A. November 3rd, 1998.

25 Q. Are you familiar with the order that's attached

1 to the first judgment page?

2 A. Yes, ma'am.

3 Q. Can you identify for the grand jury the judge
4 that issued this order and judgment?

5 A. U.S. District Judge Johnnie B. Rawlinson.

6 Q. Judge Rawlinson is now a Ninth Circuit judge,
7 correct?

8 A. Yes, ma'am.

9 Q. I'd like to turn your attention to what is marked
10 as page 11 of this order. Are you familiar with the
11 section entitled Conclusion of the Order?

12 A. Yes, ma'am.

13 Q. Going through this section -- let me see if I can
14 -- can you advise the grand jury on line 9 of the order
15 what the court ordered regarding this case?

16 A. The court ordered the defendant, which is Cliven
17 Bundy's motion to dismiss would be denied.

18 Q. And before we go further, can you explain to the
19 grand jury what this case that this order is a result of,
20 what the case was about?

21 A. Cliven Bundy's cattle trespass on an area known
22 as the Bunkerville Allotment, which means he allowed his
23 cattle to graze on a federal grazing allotment without
24 paying the fees. Thus, the cattle became in what's called
25 the term trespass.

1 Q. Is this suit -- actually, was it brought by the
2 United States Government against Cliven Bundy?

3 A. Yes, it was.

4 Q. Regarding the trespass that you just mentioned?

5 A. Yes, ma'am.

6 Q. So does line 9 then indicate that Cliven Bundy
7 filed a motion to dismiss in this lawsuit and that the
8 court denied it?

9 A. Yes, it does.

10 Q. Can you explain to the grand jury what lines 10
11 and 11 of this order -- what the court is ordering here?

12 A. The court ordered the plaintiff's motion for
13 summary judgment, and the plaintiff in this case is the
14 United States, was granted as to the permanent injunction.
15 What that means is Cliven Bundy was forever prohibited from
16 any cattle grazing on the Bunkerville Allotment.

17 Q. And again, the Bunkerville Allotment is a land
18 located and it's basically public lands, correct?

19 A. Yes, it is.

20 Q. And public lands meaning that they're owned and
21 administered by the federal government?

22 A. Yes, ma'am.

23 Q. The Bunkerville Allotment specifically was
24 administered by the Bureau of Land Management, correct?

25 A. Yes, it was.

1 Q. Can you explain to the grand jury what lines 12
2 through 14, what the court was ordering there?

3 A. In line 12, it again stated that Cliven Bundy is
4 permanently enjoined, which means forever prohibited from
5 grazing his livestock on the Bunkerville Allotment.
6 Additionally, the court ordered that Mr. Bundy shall remove
7 his livestock from that allotment on or before November
8 30th, 1998.

9 Q. Can you explain to the grand jury what lines 15
10 through 17, what the court was ordering in these lines?

11 A. In these lines, the court ordered Mr. Bundy --
12 stated that United States would be entitled to trespass
13 damages from Mr. Bundy in the amount of \$200 per day, per
14 head of livestock remaining on the Bunkerville Allotment
15 after November 30th, 1998.

16 Q. Agent Wooten, I've just placed in front of you
17 what's been marked as Grand Jury Exhibit No. 4.

18 (Whereupon, Grand Jury
19 Exhibit 4 was identified for
20 the record.)

21 BY MS. AHMED:

22 Q. Do you recognize what that document is?

23 A. Yes, ma'am, I do.

24 Q. Can you explain to the grand jury what it is?

25 A. It is a federal court order dated

1 July 9th, 2013, a U.S. District Judge Lloyd D. George.

2 Q. Is that the same document that is projected on
3 the screen for the grand jury to see?

4 A. Yes, ma'am.

5 Q. I'd like to turn your attention to page 6 of this
6 document, possibly page 5 of the document, the very last
7 page, what's been labeled page 5?

8 A. Yes, ma'am.

9 Q. Now, you already indicated, this was an order
10 that was entered by the United States District Court Judge
11 Lloyd George. Is he, in fact, a sitting federal district
12 court judge in this district, District of Nevada?

13 A. Yes, ma'am.

14 Q. Can you explain to the grand jury what the
15 context of this order is, what the lawsuit was that was
16 entered, that was filed?

17 A. The United States in essence sued and won in
18 federal court, as confirmed by District Judge Lloyd D.
19 George, that Cliven Bundy shall remove all of his cattle
20 off of an area known as the New Trespass Lands. This is an
21 area that's much expanded from the first court order we
22 spoke about.

23 Q. Are the New Trespass Lands also federal public
24 lands?

25 A. Yes, ma'am, they are.

1 Q. Now, looking at page 5 of this document, can
2 you explain to the grand jury what lines -- what looks like
3 5 and 6, what the court was ordering on those lines?

4 A. Starting on what appears to be lines 5, it said
5 that the document stated that the court order that the
6 defendant, Cliven Bundy's motion to dismiss was denied as a
7 moot point. Additionally --

8 Q. Is it your understanding then that in this
9 particular lawsuit, Cliven Bundy actually filed a motion to
10 dismiss, and was aware of the lawsuit then?

11 A. Yes, ma'am.

12 Q. Can you explain to the grand jury what lines 7
13 and 8 -- what the court is ordering in those lines?

14 A. This document indicates that the court order
15 that, again, Mr. Bundy is permanently enjoined or forever
16 prohibited from any trespass grazing on the area determined
17 to be the New Trespass Lands. Again, that's the area
18 outside of that Bunkerville Allotment that we spoke about.

19 Q. Can you explain to the grand jury what the court
20 ordered on lines 9 through 10?

21 A. The court ordered that the United States is
22 entitled to protect those New Trespass Lands against this
23 current trespass and all future trespasses by Cliven Bundy.

24 Q. Please explain to the grand jury what the court
25 ordered in lines 11 through 14?

1 A. The court ordered Cliven Bundy to remove his
2 livestock from those New Trespass Lands within 45 days.

3 Q. Forty-five days of the date of the order itself?

4 A. Yes, ma'am.

5 Q. Which was July 9th, 2013, correct?

6 A. Yes, ma'am.

7 Q. What else did line -- did the court order in that
8 section?

9 A. It indicated that the United States is entitled
10 to seize and remove and impound any of Cliven Bundy's
11 cattle that remain in trespass after those 45 days. Later
12 on it indicates that the same thing, that the United States
13 is entitled to seize, remove, and impound any of Cliven
14 Bundy's cattle for any future trespasses provided that the
15 United States has provided notice to Cliven Bundy in
16 reference to the governing regulations of the United States
17 Department of Interior.

18 Q. Is it your understanding that that basically
19 meant that the United States could seize and remove
20 trespass cattle by Bundy in this area as long as they
21 followed their Code of Regulations?

22 A. Yes, ma'am.

23 Q. I've placed in front of you what's been marked as
24 Grand Jury Exhibit No. 5.

25 (Whereupon, Grand

1 Jury Exhibit 5 was identified
2 for the record.)

3 BY MS. AHMED:

4 Q. Are you familiar with that document?

5 A. Yes, ma'am, I am.

6 Q. Can you explain to the grand jury what it is?

7 A. This is also a court order from the United States
8 District Court, District of Nevada, in reference to a case
9 regarding the United States versus Cliven Bundy. It's
10 dated October 8th, 2013.

11 Q. Was this order entered by District Court Judge
12 Hicks, who is currently a sitting district court judge in
13 this district?

14 A. Yes, ma'am, U.S. District Court Judge Larry
15 Hicks.

16 Q. Can you explain to the grand jury what this order
17 was in reference to?

18 A. This order is basically a motion to enforce the
19 previous order that we talked about from 1998 of the
20 Bunkerville Allotment. So that's the area that Mr. Bundy
21 originally grazed his cattle on.

22 Q. Turning your attention to page -- what's labeled
23 page 5 of this document, can you explain to the grand jury
24 what the court is ordering on line 7 and 8?

25 A. The court granted the United States' motion to

1 enforce the injunction.

2 Q. Did that mean that the court was allowing the
3 United States to enforce the 1998 judgment and order?

4 A. Yes, ma'am.

5 Q. Can you explain to the grand jury what the court
6 ordered in lines 9 and 10 of this order?

7 A. The court permanently enjoined Cliven Bundy from
8 trespassing on the former Bunkerville Allotment, which
9 meant that again the court stated that he may no longer
10 graze cattle unlawfully on the area known as the former
11 Bunkerville Allotment.

12 Q. Is the court referring to this area as the former
13 Bunkerville Allotment because at this time, that it was no
14 longer an active allotment and so it's only formerly
15 referred to by that name?

16 A. Yes, ma'am.

17 Q. Can you explain to the grand jury what the court
18 ordered on lines 11 and 12?

19 A. The court stated that United States is entitled
20 to protect the former Bunkerville Allotment against this
21 trespass and any future trespass by Mr. Bundy.

22 Q. Can you explain what the court is ordering in
23 lines 13 through 16 of this order?

24 A. The court ordered Mr. Bundy to remove his
25 livestock from the former Bunkerville Allotment within 45

1 days of the date of this order, and it stated that the
2 U.S. is entitled to seize, remove, and impound any of Mr.
3 Bundy's cattle that remain in trespass after 45 days of
4 this order.

5 Q. Does the court again allow the -- in lines 17
6 through 20, the court is also giving the United States
7 authority to seize and remove to impound any of Cliven
8 Bundy's cattle in future trespass, correct?

9 A. Yes, it does.

10 Q. So long as the United States follows its
11 governing Code of Regulations, correct?

12 A. Yes, ma'am.

13 Q. Now, turning to the next page of this document,
14 which is page 6, can you explain to the grand jury what the
15 court orders on line 1 and 2 of this order on this page?

16 A. The court ordered that Bundy, referred to in this
17 order as -- Cliven Bundy is referred to in this order as
18 Bundy, shall not physically interfere with any seizure or
19 impoundment operation authorized by this order.

20 MS. AHMED. Foreperson, is your preference that
21 we continue on right now or would you like to break for
22 lunch?

23 GRAND JURY FOREPERSON. About how long do you
24 have?

25 MS. AHMED. Another hour probably.

1 GRAND JURY FOREPERSON. Okay. Why don't we
2 stop now and give them a chance to have lunch and I have to
3 be at court and then we'll come back? I think 1:15, is
4 that good?

5 MS. AHMED. Works for us.

6 GRAND JURY FOREPERSON. Okay.

7 MS. AHMED. Thank you.

8 GRAND JURY FOREPERSON. We'll come back.

9 (Whereupon, the witness was excused at 12:00 p.m.
10 and subsequently recalled at 1:15 p.m.)

11 COURT REPORTER. We're on the record.

12 BY MS. AHMED:

13 Q. Good afternoon again, Agent Wooten.

14 A. Good afternoon, ma'am.

15 Q. Before we broke for lunch, we were discussing
16 court orders relating to areas that you referred to as the
17 Bunkerville Allotment and the New Trespass Lands, correct?

18 A. Yes, ma'am.

19 (Whereupon, Grand Jury
20 Exhibit 22 was identified for
21 the record.)

22 BY MS. AHMED:

23 Q. I'd like to turn your attention to the map that's
24 on the wall to your right, labeled Gold Butte Cattle
25 Impound 2014 General Area of Operation, the April Census

1 Data. And that's Grand Jury Exhibit No. 22. Do you see
2 that?

3 A. Yes, ma'am, I do.

4 Q. And it's also projected on the screen. It's the
5 same map, correct?

6 A. Yes, ma'am.

7 Q. Are you familiar with this map?

8 A. Yes, I am.

9 Q. Are you familiar with the contents that are
10 included on the map?

11 A. Yes, ma'am.

12 Q. Can you explain to the grand jury what generally
13 is contained in this map?

14 A. This map depicts a cattle census, which means
15 basically cattle were counted by aircraft and by ground in
16 April of 2014. During that time, approximately 908 cattle
17 were counted and about 628 by helicopter. As you look at
18 the map, you will see dots of various colors in an outline
19 of our area of operation.

20 Q. Can I --

21 A. Yes, ma'am.

22 Q. Now, just generally speaking, it looks like on
23 the bottom right-hand corner of this map that there is a
24 map of Nevada and that this map is then indicated on that
25 little Nevada map. Can you describe for the grand jury

1 generally where in Nevada this area of operation is
2 located?

3 A. This is in the southeastern portion of Nevada,
4 approximately, you know, give or take, about 80 miles from
5 Las Vegas.

6 Q. And is it near essentially the Bunkerville and
7 Mesquite areas of Nevada?

8 A. Yes, ma'am.

9 Q. Now you, I believe, were just about to reference
10 the sort of dark line creating a boundary around a certain
11 area on this map, is that correct?

12 A. Yes, ma'am.

13 Q. Can you explain to the grand jury what is inside
14 of that line?

15 A. It's the area known as the former Bunkerville
16 Cattle Grazing Allotment, and then also the area that we
17 referred to earlier on as known as the New Trespass Lands.

18 Q. Is it correct that the former -- what was known
19 as the former Bunkerville Allotment is generally in the
20 northeast part of this boundaried [sic] area?

21 A. Yes, ma'am.

22 Q. And that everything outside of that northeast
23 boundaried area that's public lands, those would be
24 considered the New Trespass area?

25 A. Yes, ma'am.

1 Q. Now, the map has a legend on it, doesn't it,
2 that indicates which lands are public lands and which lands
3 are private lands, correct?

4 A. Yes, ma'am.

5 Q. And, in fact, the areas that are shaded white are
6 actually private lands, correct?

7 A. That's correct.

8 Q. So everything that's not white is actually land
9 managed -- within the boundaries managed by the federal
10 government, correct?

11 A. Yes, ma'am.

12 Q. And, in fact, that land is owned by the federal
13 government, correct?

14 A. Yes, ma'am.

15 Q. Is it also correct that this land has been owned
16 by the federal government since this area came into the
17 union at the time that the United States and Mexico entered
18 into the Treaty of Guadalupe Hidalgo in 1848?

19 A. Yes, ma'am.

20 Q. Is it also correct that Cliven Bundy never had
21 ownership of any of the land that's shaded yellow, purple,
22 or dark blue within the boundaries of this boundaried area?

23 A. Yes, ma'am.

24 Q. Now, you also referenced the circles inside of
25 this boundaried area, and I see that the circles are of

1 different sizes. Can you explain to the grand jury what
2 the different sizes of the circles mean?

3 A. A different size circle would correspond with a
4 different number of cattle that were observed. And for the
5 purpose of making this map easier to understand and read,
6 the bigger the circle, the more cattle that were observed
7 in a particular area.

8 Q. And you indicated earlier that this was a census
9 done in April of 2014. Was it the Bureau of Land
10 Management that led that census?

11 A. Yes, ma'am.

12 Q. And in April of 2014, it was done and so is it
13 correct to say that it was done in close proximity to the
14 time that the BLM began its impoundment seizing of the
15 trespass cattle?

16 A. Yes, ma'am.

17 Q. And again, to be clear, what's in the boundaried
18 area that's not marked as private lands, those are the
19 lands that the court orders that we previously discussed
20 are referencing, correct?

21 A. Can you rephrase that, please?

22 Q. Other than the private lands inside of the
23 boundaried area, everything else -- these are the lands
24 that the court orders in 2013 were referencing?

25 A. Yes, ma'am.

1 Q. Now I'd like to turn your attention to the map
2 that's to your -- behind you to -- if you're looking at it
3 from my direction, to your right?

4 A. Yes, ma'am.

5 Q. Now, there are some white boxes with texts on
6 this map, which we will get into a little later in this
7 session, but just generally, can you explain to the grand
8 jury what is depicted in this map?

9 A. Yes. Ladies and gentlemen, I would like to
10 orient you to the map really quick. Think of Las Vegas
11 being about 80 miles down this way. Think of this area
12 right here is Bunkerville and then you can see this area is
13 marked as Mesquite. This is Interstate 15, which is the --
14 interstate running east and west here, not north and south
15 as we know Interstate 15 goes.

16 Q. Can you indicate to the grand jury which
17 direction is north if you're looking at this map?

18 A. This map is oriented straight up, so this area
19 directly above the map would be north.

20 Q. Can you indicate to the grand jury by pointing at
21 it where -- you already indicated that that -- those two
22 lines that appear to be black or a dark red on the map that
23 that's actually indicating Interstate 15, is that correct?

24 A. Yes, ma'am.

25 Q. Can you indicate by running your finger along it

1 where State Route 170 is on this map?

2 A. Yes, ma'am. State Route 170 is depicted here on
3 the dotted blue line and it's roughly at exit 112, just off
4 Interstate 15. And at this point it runs south and then it
5 runs to the east into Bunkerville and then on into
6 Mesquite.

7 (Whereupon, Grand Jury
8 Exhibit 23 was identified for
9 the record.)

10 BY MS. AHMED:

11 Q. And for the record, this is Grand Jury Exhibit
12 No. 23. And looking at this Grand Jury Exhibit 23, is it
13 correct that State Route 170 almost -- it meets Interstate
14 15 around mile marker or exit 112, which you just
15 indicated? Can you put your finger on exit 112?

16 A. Yes, ma'am.

17 Q. And then can you put your finger on where exit
18 120 is? And that's where 170 meets Interstate 15 again,
19 correct?

20 A. Roughly, yes, ma'am.

21 Q. Can you identify on Grand Jury Exhibit 23 where
22 the BLM set up its incident command post?

23 A. Right here is milepost 115, and the incident
24 command post here is depicted in a box with -- marked in
25 white and blue. That's in the Toquop Wash.

1 Q. Can you also identify for the grand jury on
2 Exhibit 23 where New Gold Butte Road is located off of
3 State Route 170?

4 A. Yes. Again, here is State Route 170, New Gold
5 Butte Road intersects with 170 here and it runs southwest
6 along the Virgin River in this manner.

7 Q. Along -- near the intersection of New Gold Butte
8 Road and State Route 170, do you see demarcated on Grand
9 Jury Exhibit 23 milk barn, a label that says milk barn
10 structure?

11 A. Yes, ma'am, I do. It's here depicted in white.

12 Q. Near the intersection of State Route 170 and New
13 Gold Butte Road, do you also see a box depicting -- or what
14 is labeled as gravel pit?

15 A. Yes, ma'am.

16 Q. Can you identify for the grand jury where that is
17 on Exhibit 23?

18 A. Right here labeled as gravel pit.

19 Q. Can you explain to the grand jury what the yellow
20 area on this map represents?

21 A. The yellow area depicts federal public lands
22 administered by the Bureau of Land Management.

23 Q. Can you explain to the grand jury what the white
24 areas are on this map?

25 A. The white areas are land that's owned privately

1 all through the town of Bunkerville, Mesquite, and then
2 following the Virgin River in cultivated areas.

3 Q. Now, in the lower roughly left bottom side of the
4 map, there's a blue box along New Gold Butte Road, do you
5 see that?

6 A. Yes, ma'am.

7 Q. On Exhibit 23. Can you explain to the grand jury
8 what that box represents?

9 A. This is actually the Bundy ranch. It's Cliven
10 Bundy's private property that consists of approximately 160
11 acres.

12 Q. Now I'd like to turn your attention to Grand Jury
13 Exhibit 24, which is the map directly next to this map.

14 (Whereupon, Grand Jury
15 Exhibit 24 was identified for
16 the record.)

17 BY MS. AHMED:

18 Q. Can you explain to the grand jury what this map
19 depicts?

20 A. Ladies and gentlemen, this map is merely a close-
21 up of this map that you previously looked at. I'd like to
22 orient you. Again, think of Interstate 15 running up to
23 the north and this is State Highway 170 running through
24 here. And this is New Gold Butte Road running along the
25 Virgin River on Bureau of Land Management lands and then

1 also traversing private property.

2 Q. So Grand Jury Exhibit 24 is essentially a close-
3 up of the intersection of State Route 170 and New Gold
4 Butte Road, correct?

5 A. Yes, ma'am.

6 Q. Now can you explain again to the grand jury what
7 the yellow-shaded areas represent on this map?

8 A. This whole yellow-shaded area are federal public
9 lands administered by the Bureau of Land Management.

10 Q. Can you explain to the grand jury on Grand Jury
11 Exhibit 24 what the white areas represent?

12 A. The white areas are privately owned lands.

13 Q. Can you explain to the grand jury on this map,
14 Grand Jury Exhibit 24, what that blue box contains?

15 A. This blue box is the Bundy ranch, land owned by
16 Cliven Bundy approximately 160 acres.

17 Q. Based on your investigation in this case, is it
18 correct that the federal government did not seize any
19 cattle from any of these privately owned lands?

20 A. That's correct. The federal government didn't
21 seize any cattle at all from any private lands.

22 Q. And if you could return to Grand Jury Exhibit 23
23 and point to the grand jury on this map where the rally
24 area is that's along State Route 170?

25 A. Although it doesn't appear to be marked on this

1 map, it is approximately right in here. Somewhere in
2 this area right here.

3 Q. Can you explain to the grand jury the
4 approximately distance from that rally point, also referred
5 to as the staging area, to the BLM ICP?

6 A. If you go by road, meaning State Route 170, leave
7 at I-15 and travel I-15 north, or on this map, east, then
8 it's five miles by car approximately. If you go over land,
9 you'll see later that the horses did, it's approximately
10 3.5 miles.

11 Q. You can have a seat, Agent Wooten. Now, after
12 October of 2013, did Cliven Bundy remove any of his cattle
13 from the lands depicted on Grand Jury Exhibit 22 and that
14 boundaried area?

15 A. No, ma'am.

16 Q. Did the BLM then prepare to seize and remove the
17 cattle pursuant to the federal court orders?

18 A. Yes, ma'am.

19 Q. Did the BLM enter into contracts with third
20 parties in order to facilitate the removal of the cattle?

21 A. Yes, ma'am, they did.

22 Q. Did the BLM enter into a contract with Sampson
23 Livestock?

24 A. Yes, they did.

25 Q. When did they enter into this contract?

1 A. Immediately prior to seizing any cattle.

2 Q. Is it correct that it was sometime in March of --
3 February or March of 2014?

4 A. Yes, ma'am.

5 Q. Now can you explain to the grand jury what
6 Sampson Livestock is?

7 A. They're basically cowboys. Their specialty is
8 rounding up livestock in somewhat remote rural areas.

9 Q. What did the contract entail Sampson Livestock
10 doing in relation to the Bundy cattle?

11 A. They were to hire out subcontractors as needed
12 and then move to the area that I showed you earlier and
13 round up these trespass cattle in some of these very remote
14 areas that will be described to you later.

15 Q. Is Sampson Livestock actually located -- its
16 business located in Utah?

17 A. Yes, ma'am.

18 Q. Did Shayne Sampson -- is he the owner of Sampson
19 Livestock?

20 A. Yes, ma'am.

21 Q. Did Shayne Sampson and his employees and
22 subcontractors travel from Utah to Nevada to perform the
23 contract?

24 A. Yes, they did.

25 Q. Did the BLM also enter into a contract with an

1 individual named Scott Robbins?

2 A. Yes.

3 Q. Does Scott Robbins own a business entitled R
4 Livestock?

5 A. Yes, he does.

6 Q. Can you explain to the grand jury what R
7 Livestock business is?

8 A. In essence, R Livestock is basically an auction
9 yard. So once any trespass cattle were rounded up, and if
10 those cattle were not later claimed by Cliven Bundy, then
11 those cattle would go to an auction yard in which they
12 would be sold and then the cost would go to mitigate the
13 expense of the roundup.

14 Q. Where is R Livestock, the business, situated?

15 A. Also in Utah, ma'am.

16 Q. Was it understood in the contract that the cattle
17 would be transported from Nevada to Utah to -- in order for
18 Scott Robbins to perform the contract?

19 A. Yes, ma'am.

20 Q. Did the BLM in preparation for removing the
21 cattle inform Cliven Bundy in any way that they would be
22 conducting their impoundment?

23 A. Yes.

24 Q. When was that?

25 A. It was immediately prior and during the impound,

1 starting in March of 2014.

2 Q. Is it correct that on March 12th of 2014, the BLM
3 and the National Park Service both sent certified letters
4 to Cliven Bundy advising him of his trespass cattle on
5 these public lands?

6 A. Yes, ma'am.

7 Q. Did Cliven Bundy respond to either the National
8 Park Service or the BLM?

9 A. No, ma'am.

10 Q. Were the letters sent via certified mail?

11 A. Yes, they were.

12 Q. Did Cliven Bundy make reference -- any public
13 statement referencing the incoming, impending impoundment
14 of his cattle?

15 A. Yes, he made many public statements.

16 Q. Through your investigation did you become
17 familiar with the public statements that he made?

18 A. Yes, ma'am.

19 Q. Was the first public statement he made on March
20 15th, 2014 to your knowledge?

21 A. Yes, ma'am.

22 Q. Can you explain to the grand jury what was the
23 medium in which his public statements were made?

24 A. This was in a news-type publication, a
25 periodical, referred to as the *Desert Valley Times*.

1 Q. Who was the author of the article?

2 A. Mike Donahue.

3 Q. And what was the article titled?

4 A. It was titled "Bunkerville Rancher Ready for New
5 Bill and Fight".

6 Q. Did the article contain quotes attributed to
7 Cliven Bundy?

8 A. Yes, ma'am.

9 Q. What did the quotes -- what are some of the
10 quotes that were included?

11 A. Cliven Bundy was quoted as saying that he is
12 "ready to do battle with the BLM."

13 Q. Did he also give any statements regarding county
14 officials or state officials?

15 A. Yes. The article indicated that Cliven Bundy
16 stated that Clark County Sheriff Douglas Gillespie
17 previously informed him, meaning Cliven Bundy, that the
18 Bureau of Land Management is planning to enforce a federal
19 court order issued this past fall, which would have been in
20 the fall of 2013, to seize his cattle.

21 Q. Did Bundy make any statements in the article that
22 suggested that he was also separately aware of court orders
23 regarding his cattle?

24 A. Yes. The article seemed to indicate that Bundy
25 had received a court order, which gave him 45 days to move

1 his cattle out.

2 Q. In this article, is Bundy quoting as making
3 statements about his property?

4 A. Yes.

5 Q. What did he say, or what is he quoted as saying?

6 A. The quote is, "I'll do whatever it takes to
7 protect my life, liberty, and property." Additionally, he
8 was quoted as saying, "I want to give fair warning. I will
9 hold the state and county officials accountable and liable.
10 I will also make any cowboy contractor who collects the
11 cattle legally accountable." And then a different quote
12 indicates, "I'll sue them." Later on, Mr. Bundy says, "I
13 can't believe a federal judge wouldn't recognize the
14 sovereign right of the State of Nevada."

15 Q. On March 19th of 2014, did Cliven Bundy again
16 make a public statement regarding the BLM gathering his
17 cattle?

18 A. Yes, ma'am.

19 Q. Did he make statements that were quoted in -- by
20 reporter Vernon Robison in the *Moapa Valley Progress*?

21 A. Yes, he did.

22 Q. Can you explain to the grand jury what the *Moapa*
23 *Valley Progress* is?

24 A. It's a local periodical, such as that could
25 contain news and subjects of that matter.

1 Q. Now in the article in which Cliven Bundy is
2 quoted, is that article titled "Bunkerville Rancher
3 Prepares to Battle Feds Again for Land?"

4 A. Yes, ma'am.

5 Q. In that article was Cliven Bundy quoted regarding
6 what he would do with respect to his property?

7 A. Yes, he was quoted there.

8 Q. What did he say?

9 A. A quote was from Cliven Bundy, "I'll do whatever
10 it takes to protect my life, liberty, and property. Along
11 with them, the rights of other citizens of Clark County to
12 have access to the land." He was also quoted as saying,
13 "I'm going to hold these people liable and legally
14 accountable for their actions with any lawsuits that I need
15 to do."

16 Q. Did he indicate whether or not he would bring
17 others into his conflict with the federal government?

18 A. Yes, Cliven Bundy stated I'll bring my friends,
19 relatives, and supporters together to protest against this
20 whole thing. Another quote after that is, "And we'll do
21 whatever we have to do after that."

22 Q. On March 21st, 2014, did Cliven Bundy send a
23 letter entitled Range War Emergency Notice and Demand for
24 Protection to various Nevada State officials?

25 A. Yes, he did.

1 Q. Can you describe to the grand jury who was
2 included in the state officials?

3 A. Clark County Sheriff Douglas Gillespie, Nevada
4 Governor Brian Sandoval, and numerous other officials.

5 Q. In this letter that Cliven Bundy wrote, did he
6 again address the BLM gathering his cattle?

7 A. Yes, he did.

8 Q. What did he state?

9 A. He indicated that this was a notice of cattle
10 rustling, an illegal seizure by contract cowboys under the
11 direction of the BLM being in progress on Bundy's ranch in
12 Clark County, Nevada.

13 Q. Now, on March 21st, 2014, had the BLM begun its
14 gathering of Bundy's cattle?

15 A. No, they had not.

16 Q. And at any time did the BLM ever go onto the
17 Bundy's property to gather cattle?

18 A. Never.

19 Q. In this letter dated March 21st, 2014, did Cliven
20 Bundy also make any demands to the Clark County Sheriff?

21 A. Yes, he did.

22 Q. What did he demand of the sheriff?

23 A. Prior to demanding anything from the sheriff,
24 Cliven Bundy demanded that these activities, meaning his
25 alleged cattle rustling, must cease and desist and then the

1 Clark County Sheriff and Nevada should protect his
2 property from any attempts, that illegal seizure of cattle
3 or all persons receiving cattle without Cliven Bundy's
4 specific permission, and that they were violating a law and
5 his, meaning Cliven Bundy's rights.

6 Q. Did Cliven Bundy in the same letter indicate
7 that only he -- that all Nevada brand inspection
8 certificates could only be signed by Cliven Bundy with
9 respect to cattle that he claimed?

10 A. Yes.

11 Q. Did Cliven Bundy also in this letter indicate
12 that he claimed all cattle branded with a V over O brand,
13 as well as all non-branded cattle near the Bundy ranch, as
14 his own?

15 A. Yes, he claimed all cattle branded and unbranded.

16 Q. Did he also claim all cattle branded and
17 unbranded in "New Trespass Land" in Clark County, Nevada?

18 A. Yes, ma'am.

19 Q. And again, that's a phrase that appears to have
20 been taken from the July 2013 court order, correct?

21 A. It appears that way.

22 Q. Now, on March 21st, 2014, did Cliven Bundy also
23 send a letter entitled Notice and Lien Regarding Cattle
24 Rustling and Illegal Seizure to various business entities?

25 A. Yes, ma'am.

1 Q. Who did he send that letter to?

2 A. The Cotoor family.

3 Q. Can you explain to the grand jury who the Cotoor
4 family is?

5 A. The Cotoor family is a family of cowboys, in
6 essence, and Mr. Bundy believed that they would probably be
7 the ones that bid and received a contract from the Bureau
8 of Land Management to round up his cattle.

9 Q. Did this letter essentially demand that the
10 Cotoors not collect or gather Bundy's cattle in the federal
11 public lands?

12 A. Yes, ma'am.

13 Q. Did it also indicate that he would hold liable
14 anybody who did collect or facilitate the collection of his
15 cattle in that area?

16 A. Yes, ma'am.

17 Q. On March 24th, 2014, did Bundy again make a
18 public statement regarding the gather to Mike Donahue of
19 the *Desert Valley Times*?

20 A. Yes, he did.

21 Q. Was there an article that contained his
22 statements published on that date?

23 A. Yes. This article was entitled, "Bundy Declares
24 Range War."

25 Q. In the article, is Cliven Bundy quoted regarding

1 a concept called range war?

2 A. Yes, ma'am.

3 Q. What did he say about a range war?

4 A. In this article, Mr. Bundy was quoted as saying,
5 "As far as I can see, it's a range war and it's pretty hard
6 to figure out why they're not protecting me. Additionally,
7 he stated, "We're fighting for freedom, liberty, and
8 access. What I'm organizing are lots of groups and they'll
9 come from hundreds of miles away."

10 Q. Did Cliven Bundy indicate that if the sheriff
11 didn't stop the BLM, that the sheriff would also have to
12 deal with the consequences of that?

13 A. Yes, ma'am. Additionally, he stated the sheriff
14 is the only one with policing powers and arresting powers
15 in Clark County.

16 Q. Was he also quoted in this article as saying,
17 "It's a range war and it can last a long time," is that
18 correct?

19 A. Yes. In addition, he said it again, "It's a
20 range war and we're fighting against a police state."

21 Q. Are you familiar with the phrase range war?

22 A. Yes, ma'am.

23 Q. Can you explain to the grand jury generally in
24 land management what that term depicts?

25 A. The term range war generally connotes an armed

1 insurrection or rebellion against anyone seeking to
2 impose any regulation on the public lands known as the
3 federal public range. And for us, it basically meant that
4 Cliven Bundy was willing to use arms to influence the
5 federal government to act the way he wanted us to act.

6 Q. On March 25th, 2014, did Cliven Bundy again make
7 public statements, this time contained in an article
8 written by Henry Brean of the *Las Vegas Review Journal*?

9 A. Yes, ma'am.

10 Q. And was this article entitled "Bunkerville Ranger
11 Vows to Resist Federal Roundup of His Cattle"?

12 A. Yes, ma'am.

13 Q. In this article, was Cliven Bundy quoted about
14 the federal government collecting his cattle?

15 A. Yes, ma'am.

16 Q. What did he say?

17 A. The quote is, "Tell them," meaning the federal
18 government, "Bundy's ready." And "Whenever they've got the
19 guts to try it, tell them to come." Additionally, Cliven
20 Bundy was quoted as saying what he did was fire the BLM and
21 he will claim all the no brand cattle as private property.
22 Cliven Bundy was quoted as saying, "I'll do whatever it
23 takes and they're not going to get a hair of my cattle or
24 any of my property."

25 Q. Did Cliven Bundy make any reference in this

1 article what he would do if it cattle was, in fact,
2 rounded up by the federal government and then given back to
3 him?

4 A. He indicated he would turn them straight back
5 out.

6 Q. Meaning back out into the public land?

7 A. Yes, ma'am.

8 Q. On March 27th, 2014, was Cliven Bundy quoted as
9 making public statements to Mike Donahue of the Desert
10 Valley Times in an article entitled "Man Battling BLM Says
11 He Has 'Army of Supporters' "?

12 A. Yes, ma'am.

13 Q. Was he quoted in this article?

14 A. Yes, he was.

15 Q. What is he quoted as saying?

16 A. The quote was, "Most of the people are ready for
17 this, but just don't know when it's going to start."
18 Another quote is, "Let them start their dirty work of
19 stealing my cattle and then we'll see," them meaning the
20 federal government.

21 Q. Is it your understanding that the quote in the
22 article title referencing an army of supporters was a quote
23 attributable to Cliven Bundy?

24 A. Yes, ma'am.

25 Q. On March 28th, 2014, did Cliven Bundy have a

1 physical interaction with the civilian contractors
2 working with the BLM including Shayne Sampson of Sampson
3 Livestock?

4 A. Yes, ma'am.

5 Q. Can you explain to the grand jury what happened
6 in that encounter?

7 A. As the civilian contractors and moving into an
8 area that I showed you up here earlier, which is known as
9 the entrance to the incident command post, or ICP, Cliven
10 Bundy and his followers physically stopped the convoy of
11 cowboys from going into this rural unimproved road area to
12 the incident command post. In doing so, it caused the
13 convoy to back up and create a traffic hazard on Interstate
14 15 and there was a narrowly avoided crash that luckily
15 didn't happen there, but it was a close call for some of
16 the contractors. Some of the individuals there, some of
17 Cliven Bundy's followers, physically stepped in front of
18 the vehicles. One of them at least pounded on one of the
19 vehicle's trailers. Others took -- appeared to take
20 photographs of the individual contractors and their license
21 plates and Cliven Bundy's son, Ryan, pointed one of his
22 fingers at contractor Shayne Sampson, which we spoke about
23 earlier, and said that Mr. Sampson better watch out.

24 Q. Now, on March 28th, 2014, did Cliven Bundy then
25 also make public statements to Las Vegas My News 3 in a

1 news story that was aired on television narrated by
2 Gerard Ramalho?

3 A. Yes, ma'am.

4 Q. Was this news story entitled Range War?

5 A. Yes, it was.

6 Q. Did the news story include an interview of Cliven
7 Bundy by reporter Vicki Gonzalez?

8 A. Yes, it did.

9 Q. In the interview, did Cliven Bundy make any
10 reference to the BLM's gathering of his cattle?

11 A. Yes.

12 Q. What did he say?

13 A. Cliven Bundy was quoted as saying, "All of those
14 cowboys are going to be thieves who stole my cattle. It's
15 like they are staging for war." And he's also quoted as
16 saying, "I told them I'll do whatever it takes. I'll stick
17 with that."

18 Q. Did Vicki -- did the reporter also indicate that
19 Cliven Bundy made any indication to her his beliefs about
20 the federal government's regulation of public land?

21 A. Yes. In this report it indicated that Mr. Bundy
22 didn't believe the federal government should police him or
23 his cattle on public lands.

24 Q. Did the BLM then begin its impoundment or its
25 gather and removal process of Bundy's cattle from the

1 federal public lands on April 5th, 2014?

2 A. Yes, ma'am.

3 Q. On April 5th, 2014, did the BLM gather Bundy's
4 cattle off of the public lands?

5 A. Yes, ma'am.

6 Q. Is it correct that they gathered approximately 70
7 of his cattle that day?

8 A. Approximately.

9 Q. On April 5th, 2014, did Cliven Bundy again make
10 public statement about the BLM collecting his cattle?

11 A. Yes, ma'am.

12 Q. What did he say? Well, to what -- where was he
13 quoted as making these statements?

14 A. He was quoted on KSNVmynews3.com in a report.

15 Q. And what is he quoted as saying?

16 A. Mr. Bundy was quoted as saying, "I've done quite
17 a bit so far to keep my cattle, but I guess it's not been
18 enough. They took 75 of my cattle today. I have said I'll
19 do what it takes to keep my cattle so I guess it's going to
20 have to be more physical."

21 Q. You indicated that these public statements -- or
22 through these public statements it appears that Cliven
23 Bundy used the phrase that he would do whatever it takes,
24 whatever it takes, repeatedly, correct?

25 A. Yes, ma'am.

1 Q. Did the BLM do anything to try to understand
2 that that phrase included?

3 A. Yes, ma'am.

4 Q. What did the BLM do?

5 A. The BLM basically did a threat assessment to try
6 to understand what these phrases meant.

7 Q. Did anybody try to contact the Bundys to
8 understand what the phrase "whatever it takes" meant?

9 A. Yes, ma'am. A personal contact was attempted
10 with Cliven Bundy, and additionally, telephone contacts
11 were attempted with the sons of Cliven Bundy.

12 Q. Did Cliven Bundy or any of his sons, when
13 addressing the phrase whatever it takes, did they ever rule
14 out the possibility that they would use physical force?

15 A. No, ma'am, it was always very open-ended.

16 Q. You've indicated in reference to Grand Jury
17 Exhibit 23 where the incident command post, also known as
18 the ICP, was located. Can you explain to the grand jury
19 the functional purpose of that location?

20 A. It's located in an area known as the Toquop Wash,
21 and that wash is lower in elevation than the surrounding
22 area and so you would have the interstate and then you
23 would have in a lower area this wash. With the incident
24 command post and then the cattle corrals being located in
25 this area, it was not within easy view of the highway, so

1 what would be considered a low profile. It was
2 physically lower than the surrounding areas and it was
3 close to Interstate 15 and relatively close to the impound
4 areas, which would facilitate easy in and out and transport
5 of cattle.

6 Q. Did this location also allow the operation to
7 have what was considered a low profile?

8 A. Yes, ma'am.

9 Q. What does that mean?

10 A. It simply means that the average person driving
11 by on Interstate 15 would probably have not have noticed
12 there was an impound operation going on at the time.

13 Q. Was this location of the ICP also relatively
14 close to all of the area that the BLM and Park Service
15 needed to gather cattle from?

16 A. Yes, ma'am.

17 Q. Now, who was actually located at the ICP or
18 rather, who was actually included in the staff for the
19 impoundment operation?

20 A. There were civilian contractors like we spoke
21 about before, Mr. Shayne Sampson and his crew. There were
22 civilian Department of Interior employees, which are
23 generally Natural Resource Specialists or firefighters, and
24 they facilitated the operation of the trespass cattle
25 impound. And then there was Bureau of Land Management, the

1 United States Park Service, with the Park Police, the
2 U.S. Forest Service law enforcement.

3 Q. Now you differentiate law enforcement officers
4 from civilians. Can you explain to the grand jury what you
5 mean when you say civilian?

6 A. Someone who has not graduated from a federal
7 certified law enforcement academy and, therefore, has no
8 defensive tactics, training, or expertise.

9 Q. And, in fact, is correct that the reason there
10 are law enforcement officers present during this
11 impoundment or during the gathering of the cattle was
12 primarily to provide protection to these untrained
13 civilians?

14 A. Yes, primarily. And also, it should be noted
15 that secondarily, many of these cattle were considered wild
16 and feral and when they get put in a constrained
17 environment, there's a propensity that one or more of them
18 would become violent, and the law enforcement officers are
19 equipped with firearms and at that point the law
20 enforcement could protect the civilians, the unarmed
21 people, from the cattle if necessary.

22 Q. Now, you referenced the Bureau of Land
23 Management, the National Park Service, and the United
24 States Forest Service as having law enforcement officers at
25 the cattle gather operation, correct?

1 A. Yes, ma'am.

2 Q. Are these all federal law enforcement officers?

3 A. Yes, ma'am.

4 Q. Does that mean that there is a codified federal
5 law giving authority to these officers to act as
6 essentially federal police?

7 A. Yes, ma'am.

8 Q. In order to become federal law enforcement
9 officers, did all of the officers at the impoundment have
10 to go to the federal law enforcement training center or a
11 similar center?

12 A. Yes, ma'am.

13 Q. And is this center the same that other federal
14 agencies with officers, such as the Bureau of Alcohol,
15 Tobacco, Firearms and Explosives, that their agents also go
16 to for training?

17 A. Yes, ma'am.

18 Q. Did these federal laws that give the law
19 enforcement officer authority, do they also allow these
20 federal law enforcement officers, the public lands agencies
21 that you just referenced, does it allow them to have the
22 power to make arrests?

23 A. Yes, ma'am.

24 Q. Does it give them the power generally to enforce
25 federal law?

1 A. Yes, ma'am, it does.

2 Q. Now I'd like to turn your attention back to Grand
3 Jury Exhibit 23. And although you indicated earlier, could
4 you also again point to the map and indicate to the grand
5 jury where that March 28th incident between Cliven Bundy
6 and his family and the civilian contractors occurred?

7 A. For the jury, here's I-15 one more time, and
8 here's approximately mile marker 115. There was a small
9 gravel turnout right there and a road that would lead to
10 the incident command post depicted here in this box. This
11 incident occurred approximately right here.

12 Q. Now turning to Grand Jury Exhibit No. 24, can you
13 indicate -- well, actually, let's -- stepping back for a
14 moment, if you'll take a seat, can you explain to the grand
15 jury whether or not your investigation revealed any contact
16 between the Bundy family and any of their civilian -- the
17 BLM contractors on or about April 2nd of 2014?
18 Specifically, Scott Robbins and R Livestock?

19 A. Oh, yes, ma'am.

20 Q. Can you explain to the grand jury what that
21 encounter entailed generally?

22 A. At Mr. Robbins's business, which is called R
23 Livestock in Utah, Ryan Bundy and several of Cliven Bundy's
24 followers impeded the weekly cattle auction.

25 Q. Was Ryan Bundy actually physically present at

1 Scott Robbins or at the R Livestock business?

2 A. Yes, ma'am, he was.

3 Q. Did they go inside of the business while an
4 auction was being conducted?

5 A. Yes, ma'am, they did.

6 Q. Did that cause the business to temporarily cease
7 operations?

8 A. Yes, ma'am.

9 Q. Did the Sevier County Sheriff report to this
10 incident in response to the presence of these -- or in
11 response to this disruption?

12 A. Yes, ma'am.

13 Q. During -- while the Sevier County Sheriff was on
14 scene, did he speak with Ryan Bundy?

15 A. Yes, he did.

16 Q. Did Ryan Bundy make any statements to him about
17 what his intentions were at R Livestock?

18 A. Yes, he did.

19 Q. What did he state?

20 A. I'm going to refer to my notes here. When
21 speaking with Sevier County, Utah Sheriff Nathan Curtis,
22 Ryan Bundy told Sheriff Curtis that R Livestock had agreed
23 to accept stolen cattle and that he claimed all branded
24 cattle as belonging to him and unbranded cattle, as well.

25 Q. Did he make any specific statements about what he

1 would do regarding Bundy branded or cattle otherwise
2 claimed by the Bundys if they showed up at R Livestock?

3 A. He said if he couldn't get the cattle stopped at
4 the border, meaning where Nevada crosses over into Utah,
5 then he would take those cattle by force at R Livestock.

6 Q. Now we've also previously mentioned, but is it
7 correct that on April 5th the gathering operation actually
8 began?

9 A. Yes, ma'am.

10 Q. On Sunday, April 6th, did anybody Bundy family
11 members have any encounters with the BLM or other federal
12 officers working in the gather?

13 A. Yes, they did.

14 Q. Can you describe what this contact included?

15 A. Yes, there were a few. I'll start out with a
16 contact with Ryan Bundy and one of our special agents with
17 the Bureau of Land Management. And I'll use this exhibit
18 for the grand jury just so you can see where it's at.

19 Q. So pointing to Grand Jury Exhibit 24, can you
20 indicate to the grand jury where this encounter you're
21 about to talk about occurred?

22 A. It occurred right here, so on federal public
23 lands off of the private lands. And for the jury, around
24 this far is a mile, just so you know.

25 Q. Now during this contact between Ryan Bundy and a

1 BLM special agent, just generally what occurred?

2 A. Ryan Bundy was seen on an all-terrain vehicle.
3 He was -- earlier in the day he appeared to be armed, so
4 that was reported out over the radio. And the law
5 enforcement officer was in a patrol vehicle as Ryan Bundy
6 drove towards him in a reckless manner and then swerved
7 narrowly missing him. Additionally, immediately following
8 that, the federal law enforcement officer activated his
9 emergency equipment and attempted a stop on Ryan Bundy, in
10 which Ryan Bundy continued to elude using his all-terrain
11 vehicle.

12 Q. Later on, on April 6th, was there another
13 encounter between Bundy family members and the BLM?

14 A. Yes, ma'am.

15 Q. Can you indicate on Grand Jury Exhibit 24 where
16 this encounter occurred?

17 A. There were two encounters that occurred in close
18 proximity to each other up here in the northeast portion of
19 the map.

20 Q. And is that along State Route 170?

21 A. Yes, it is. State Route 170 runs right through
22 here.

23 Q. Now, is it correct that on the afternoon of April
24 6th, an arrest was made of Cliven Bundy's son, Dave Bundy?

25 A. Yes, that's correct.

1 Q. Can you indicate on the map where that arrest
2 was made?

3 A. Just off of State Route 170.

4 Q. Is it correct that Dave Bundy was arrested after
5 he was repeatedly asked to leave the closure area?

6 A. Yes.

7 Q. And he failed to comply with those orders to
8 leave the closure area, correct?

9 A. That's correct.

10 Q. Was he eventually processed and released from
11 federal custody with citations?

12 A. Yes, he was.

13 Q. On April 7th, as a result of that arrest, did
14 your investigation reveal anything relating to that
15 incident that was posted on social media?

16 A. Yes, it did.

17 Q. Can you just generally explain to the grand jury
18 what it is that your investigation revealed?

19 A. On April 7th, our investigation revealed that
20 Dave H. Bundy, one of Cliven Bundy's sons that we just
21 spoke about, shared a photograph from Bailey-Bundy Logue's
22 status update on Facebook. Bailey-Bundy Logue is one of
23 the Bundy sisters. The caption was, "Two Snipers Pointed
24 at Us Just for Taking Pictures." It was a three-part
25 photographic caption as depicted on the screen. The first

1 part being two BLM law enforcement officers lying down in
2 what's called an over watch position. Another on the lower
3 left portion of the screen appears to a BLM convoy going
4 through the desert on the way to Highway 170, and it
5 appears to be taken through a spotting scope, and then on
6 the bottom right, the BLM officers and their patrol
7 vehicles.

8 (Whereupon, Grand Jury
9 Exhibit 2 was identified for
10 the record.)

11 MS. AHMED. For the record, what's displayed on
12 the screen is Grand Jury Exhibit 2. It's a PowerPoint
13 presentation and that this is -- we're referring to slide
14 number 2.

15 BY MS. AHMED:

16 Q. Agent Wooten, are the -- is the top photograph in
17 those three photographs that you just described, is that
18 top photograph to your knowledge, was it taken on April 6th
19 around the time of the Dave Bundy arrest?

20 A. It appeared to be or just prior.

21 Q. Now, to your knowledge, were there ever BLM
22 snipers pointed at any Bundy family members during the Dave
23 Bundy arrest?

24 A. No, ma'am.

25 Q. What is your understanding -- you used the term

1 over watch. Were there officers in over watch positions
2 on April 6th when the Dave Bundy encounter was taking
3 place?

4 A. Yes, ma'am.

5 Q. Can you explain to the grand jury what the
6 officers were doing in that over watch position?

7 A. They were basically providing early warning for
8 the officers that were actually contacting or talking to
9 Ryan Bundy and Dave Bundy just off of Highway 170.

10 Additionally, if those -- if something happened to those
11 officers and it was a very fluid situation, the officers in
12 the higher position could radio back to dispatch and get
13 more assistance as the officers down lower taking care of
14 whatever issue arose wouldn't have to do that.

15 Q. Now can you explain to the grand jury also who
16 Bailey-Bundy Logue is?

17 A. That is a daughter of Cliven Bundy and a sister
18 of Dave Bundy and Ryan Bundy.

19 Q. Is it your understanding that this photograph was
20 shared on social media?

21 A. Yes, ma'am.

22 Q. With the label that had been placed on top of it?

23 A. Yes, ma'am.

24 Q. Now, on April 9th, did your investigation reveal
25 that there was another event that the grand jury will hear

1 about in more detail later through other witnesses, but
2 another event that included an encounter between Cliven
3 Bundy's family members and BLM and other federal law
4 enforcement officers?

5 A. Yes, ma'am.

6 Q. Can you indicate on Grand Jury Exhibit 24 where
7 that April 9th incident occurred?

8 A. Here, just in the bend of the road off Highway
9 170, on federal public lands in this yellow.

10 Q. And on Grand Jury Exhibit 24, there's a box there
11 that says protest near egress point for demo convoy (ph.)
12 -- Ammon ATV and Margaret Houston incident, 4-9-2014?

13 A. Yes, ma'am.

14 Q. Is that correct?

15 A. Yes, ma'am.

16 Q. Now, is that where the incident involving Ammon
17 Bundy driving his ATV into a BLM convoy occurred?

18 A. Yes, ma'am.

19 Q. On April 9th, 2014?

20 A. Yes, ma'am.

21 Q. Now, going back to Grand Jury Exhibit 2, slide
22 number 2, based on your training and experience and your
23 investigation in this case, was the use by Bailey-Bundy
24 Logue of the word snipers meaningful in any particular way?

25 A. Yes, ma'am, it was.

1 Q. In what way?

2 A. It connotates an offensive or aggressive posture
3 against anyone that opposes them. Often snipers are in an
4 elevated position of advantage and they're equipped with
5 long-range weapons and magnified optics, which was not the
6 case in this photograph.

7 Q. Through your investigation have you also come to
8 any understanding about various groups who view the federal
9 government a certain way who have -- who view that term
10 snipers as a charged term, so to speak?

11 A. Yes, ma'am.

12 Q. Can you explain that to the grand jury?

13 A. The term sniper is seen as very aggressive and an
14 overbearing federal government exerting its will on a
15 subordinate populous. Specifically, a federal government
16 sniper in this setting would be used to, in the view of an
17 anti-government agenda, be used to take out someone who
18 didn't agree with him.

19 Q. Now turning back to Grand Jury Exhibit 22, which
20 is the map on the wall with the circles and which I'm also
21 displaying on the screen. Now we referenced the fact that
22 there's Bureau of Land Management and the National Park
23 Service involved in the cattle gathering and removal
24 process in that impoundment. Can you explain using this
25 map to the grand jury how the National Park Service fit

1 into this?

2 A. The National Park Service started fitting in on
3 Cliven Bundy's feral trespass cattle herd expanded into an
4 area known as the New Trespass Lands. This was the area
5 off the Bureau of Land Management administered lands and
6 down into the Lake Mead national recreation area, which is
7 depicted on the screen as a purplish tone. Keep in mind
8 the darker blue is Lake Mead itself and then the purplish
9 color around it the Lake Mead national recreation area
10 administered by the National Park Service.

11 Q. So judging from -- looking at this map is it
12 correct that Cliven Bundy's cattle had -- the trespass had
13 spread from an area relatively close to his property in the
14 Bunkerville area all the way down to Lake Mead?

15 A. Yes, ma'am.

16 Q. Thank you, Agent Wooten.

17 MS. AHMED. I have no further questions for the
18 witness, but if the grand jury has questions, I welcome
19 them.

20 GRAND JURY FOREPERSON. Anyone in the grand jury?
21 Go ahead.

22 GRAND JUROR. In setting up the ICP, how did they
23 get there? How was --

24 MS. AHMED. Can you clarify --

25 GRAND JUROR. How was the equipment moved to the

1 ICP?

2 WITNESS. By truck, sir.

3 MS. AHMED. Can you just clarify for the record
4 when you say equipment, whose equipment you're talking
5 about? The BLM or the third-part contractors or --

6 GRAND JUROR. Either, either. I'm more
7 interested in the method of access rather than the actual
8 mode of transportation. Are there roads in the area other
9 than I-15? Is there an exit there?

10 BY MS. AHMED:

11 Q. To the extent your investigation has revealed its
12 information to you?

13 A. Yes. Here again is I-15. Here, the ICP, and
14 what's labeled with these two rectangular flat boxes as
15 Post 1, there is a gravel pullout area and there's what's
16 called an unimproved road, which is just a flat place with
17 some gravel on it, and it winds in this upper territory
18 right here down into the wash, the Toquop Wash, which is a
19 little bit lower in elevation.

20 GRAND JUROR. Okay.

21 BY MS. AHMED:

22 Q. Is it your understanding that equipment brought
23 in by the BLM or their civilian contractors was brought in
24 from Interstate 15 and then onto that gravel road down into
25 the wash?

1 A. Yes, ma'am.

2 GRAND JUROR. Thank you.

3 GRAND JURY FOREPERSON. Any other questions?

4 GRAND JUROR. Yeah, on April 16th [sic], you
5 indicated Dave Bundy was arrested -- my notes are unclear -
6 - after failing to leave as instructed, federal lands?

7 WITNESS. Yes, sir.

8 GRAND JUROR. Can you elaborate?

9 WITNESS. Yes, sir.

10 MS. AHMED. Just to clarify the record, are you
11 saying April 6th or April 16th?

12 GRAND JUROR. April 6th.

13 MS. AHMED. Yeah, okay.

14 GRAND JUROR. I believe -- yeah. You were going
15 in chronological order.

16 MS. AHMED. Correct. I wasn't sure if you said
17 6th or 16th, but it's April 6th?

18 GRAND JUROR. Sixth, yes.

19 MS. AHMED. And what --

20 GRAND JUROR. When Dave Bundy was arrested.

21 MS. AHMED. And what is the question?

22 GRAND JUROR. Could he elaborate on why he was
23 arrested?

24 BY MS. AHMED:

25 Q. To the extent your investigation has revealed?

1 A. I'm going to turn back to my notes here for the
2 specific charges. As you'll hear about later, this whole
3 area that we're talking about was in what's called a
4 closure order, and that is federal public lands roughly
5 outlined here that's on the screen. There was a federal
6 closure order that was published in the federal register.
7 Mr. Bundy was in violation of that closure order, meaning,
8 there was no one allowed in or out during that time unless
9 it had been previously coordinated. And this is due to a
10 few reasons: One is to low flying aircraft in the area;
11 two is the kind of feral and wild nature of the cattle,
12 especially once you get them in close proximity to each
13 other and crowded; and third is the veiled threats and
14 actual threats that you'll hear about later that came from
15 Cliven Bundy and his family and his followers.

16 On April 6th, 2014, Dave Bundy and others were on
17 the side of Highway 170 and they were within this closure
18 order. The officers then, although the closure was posted
19 in numerous locations, went up and had a conversation with
20 them and they said that they're in violation of the closure
21 and they need to leave. David Bundy, at that point,
22 refused to leave and he was taken into custody and he was
23 later released on citations.

24 And I can tell you what those citations were if
25 it pleases the grand jury? One citation was obstruction a

1 federal court order. The other was refusing to disperse,
2 and then a third was resisting arrest for
3 citation/interfering.

4 Q. And just to expound upon this event, can you
5 explain to the grand jury where was -- well, just
6 generally, State Route 170 was open to through traffic,
7 even though it was in the closure area, correct?

8 A. If there was -- State Route 170 was always open
9 to through traffic, that's correct.

10 Q. Was it only where the traffic stopped that the
11 BLM had any concerns about the potential safety to its
12 convoy, correct?

13 A. Yes, ma'am.

14 Q. Now, at the time that the BLM officers contacted
15 Dave Bundy, was there a convoy coming -- about to come out
16 near where Dave Bundy was located?

17 A. Yes.

18 Q. Can you explain to the grand jury where the
19 convoy -- what the convoy was, actually?

20 A. It was a convoy of numerous federal civilian
21 workers. And I believe going off memory, there were
22 contract workers there, as well, and then BLM law
23 enforcement that were escorting those workers.

24 Q. Now, were they actually working in the areas off
25 -- looking at this map kind of to the southeast of the spot

1 on 170 where Dave Bundy was encountered?

2 A. Yes, ma'am.

3 Q. Now, and at the time that he was encountered,
4 were they actually -- that convoy, was it about to emerge
5 back onto 170?

6 A. Yes, ma'am.

7 Q. Now, at the time that Dave Bundy was encountered,
8 is it correct that there were Bundy family members and
9 followers in vehicles that were positioned on either side
10 of that dirt road leading back to 170?

11 A. Specifically, my investigation has indicated that
12 they were along Highway 170 and at some points, parked in
13 the road obstructing traffic.

14 Q. Was Ryan Bundy also contacted around the time
15 that Dave Bundy was contacted?

16 A. Yes, at the exact same time Ryan Bundy was parked
17 in the middle of the road and then backing down the road
18 for long distances and then moving forward, generally
19 obstructing any traffic on Highway 170.

20 Q. Now, was the last time that Ryan Bundy had been
21 seen by federal enforcement officers, that encounter with
22 Agent Swanson that you described earlier where he was
23 spotted with the firearm?

24 A. The last time he was seen was when he eluded BLM
25 Special Agent Scott Swanson, refused to stop. And then

1 prior to that, he had been spotted with an open carry
2 firearm.

3 Q. Was the presence of Ryan Bundy on scene as the
4 convoy was about to come back out onto State Route 170 in
5 light of that prior -- those prior encounters, did that
6 raise the officers' awareness as to the potential for
7 violence?

8 A. Yes, it was especially concerning knowing that
9 Ryan Bundy, number one, had failed to yield to a law
10 enforcement vehicle or a law enforcement stop, and then
11 that he was for sure armed, as well.

12 Q. Now, you indicated that Ryan Bundy was actually
13 contacted at the exact same time that officers were talking
14 to Dave Bundy?

15 A. Yes.

16 Q. Where was his vehicle physically located when the
17 officers contacted Ryan Bundy?

18 A. On the road, side by side with Dave Bundy. I
19 mean, the same proximity.

20 Q. And the vehicle was actually in the middle of the
21 roadway, correct?

22 A. Yes.

23 Q. Now, on that stretch of State Route 170, are the
24 travel lanes -- is it one lane going in each direction?

25 A. Yes, it is.

1 Q. And then a small shoulder on either side,
2 correct?

3 A. Yes, as I recall.

4 Q. Now, was Ryan Bundy's vehicle's location
5 essentially blocking any ability by the convoy to go left
6 coming off of the dirt road back toward the ICP since his
7 vehicle was in the middle of the roadway?

8 A. Yes.

9 Q. Now, when the BLM contacted Ryan Bundy, what was
10 the end result of that contact? Did he eventually move?

11 A. He did. He eventually complied and moved out of
12 the area.

13 Q. Did they essentially ask him to please move?

14 A. Yes.

15 Q. Did the BLM officers ask David Bundy to move, as
16 well?

17 A. Yes, they did.

18 Q. And again, his vehicle -- he was standing right
19 next to his vehicle at the time, correct?

20 A. Yes.

21 Q. Did they make that request to Dave Bundy more
22 than once?

23 A. Yes.

24 Q. Did he ever address the BLM or officers' requests
25 that he leave?

1 A. He never left.

2 Q. When the officers -- did the officers advise
3 David Bundy that this was a closure area and that they were
4 working pursuant to court orders?

5 A. Yes.

6 Q. Did an officer then go up to Dave Bundy?

7 A. Yes.

8 Q. Did a officer [sic] go up to Dave Bundy?

9 A. Yes, two officers.

10 Q. When the officers went up to Dave Bundy, did they
11 again ask him to comply with their request to leave the
12 area?

13 A. Yes.

14 Q. Did he comply?

15 A. No.

16 Q. Was it at that point that he was taken into
17 custody?

18 A. Yes.

19 MS. AHMED. Any other questions on the April 6th
20 event?

21 (No response)

22 MS. AHMED. Any other questions for this witness?

23 GRAND JUROR. I think there was something about
24 the contractor that was going to sell the cattle and there
25 was some sort of thing that they would sell unclaimed

1 cattle if cattle would go unclaimed, and so I was kind of
2 confused by that.

3 MS. AHMED. And just to clarify, we will have --
4 be presenting witnesses to you that will go into further
5 depth about those two contractors, the relationships and
6 their involvement in this investigation. You can sit down.

7 BY MS. AHMED:

8 Q. But to the extent that you're able to elaborate
9 on that unclaimed -- what you meant by that term, can you
10 explain to the grand jury?

11 A. Well, Cliven Bundy claimed all marked and
12 unmarked cattle. So, in essence, there was no really
13 unclaimed cattle. There were cattle that weren't branded
14 and cattle that didn't have a registered earmark, which is
15 just a notch cut out of a cow's ear to help you identify a
16 cow in the event something has happened to the brand, but
17 Cliven claimed both the marked ones, which a rancher
18 normally would, and then the unmarked ones, as well. So,
19 in essence, there were really no unclaimed cattle.

20 Q. Well, I think we may have used the term claimed
21 and unclaimed in a couple of different ways. So what --
22 Agent Wooten, what you're saying is that Cliven Bundy
23 claimed ownership of all cattle that bore his brand as well
24 as cattle that had no brands at all that were in that area
25 depicted on Grand Jury Exhibit 22?

1 A. Yes, ma'am.

2 Q. Now, in terms of the cattle that were going to be
3 shipped to auction at R Livestock, is it correct that the
4 BLM through its regulations would give Cliven Bundy an
5 opportunity every time they gathered his cattle, that they
6 would give him an opportunity to actually come and address
7 the trespass with the agency and then he could
8 theoretically reclaim his cattle?

9 A. Yes, that's correct.

10 Q. And is that what you mean when you said unclaimed
11 cattle that the auction house would then sell?

12 A. Yes.

13 Q. But it's the cattle that --

14 A. And I can elaborate on that. Once those cattle
15 went to the auction house and Cliven Bundy would have the
16 ability to come and pick up those cattle and then pay a fee
17 for those cattle, not the cost of the cattle, just the fee
18 for collection, and then other administrative fees that
19 you'll get spoken to later in regards to a trespass and
20 things of that nature. But anyway, they would pay for, in
21 essence, the cost of the impound, and then Cliven Bundy
22 would be given his cattle back at that point. If he never
23 came to the auction house and he never made an attempt to
24 go pick his cattle back up, then eventually, those cattle
25 would be sold at auction.

1 Q. And when you say go pick his cattle back up,
2 you mean to comply with the regulations that were laid out
3 that would allow him to then take the cattle from the BLM?

4 A. Yes, ma'am.

5 Q. And all of that -- is it correct that the BLM
6 provided notices to Cliven Bundy as they were gathering his
7 cattle advising him of the steps that he could take to get
8 those cows back?

9 A. Yes, ma'am, by certified letter.

10 MS. AHMED. Any other questions for this witness?

11 GRAND JURY FOREPERSON. I have a question. When
12 Ryan Bundy went in and impeded that auction at R Livestock,
13 they weren't auctioning off any of the cattle that was
14 rounded up on the Bundy and other areas?

15 WITNESS. No, ma'am, they were not. This was
16 previous to that --

17 GRAND JURY FOREPERSON. This was --

18 WITNESS. And they were basically doing a protest
19 in order to disrupt Scott Robbins weekly cattle sale.

20 GRAND JURY FOREPERSON. Okay, thank you.

21 BY MS. AHMED:

22 Q. And just to clarify, that event that you
23 discussed happened on April 7th, and the BLM actually began
24 gathering Bundy's cattle on April 5th, correct?

25 A. Yes. They just -- no cattle had actually made it

1 to the auction yard at that point.

2 GRAND JURY FOREPERSON. Right, okay. Thank you.

3 Any other questions?

4 MS. AHMED. I'm sorry, it occurred on April 2nd,

5 that event and then the impound started on April 5th.

6 GRAND JURY FOREPERSON. The other one, yeah.

7 Any other questions from the grand jury? Go

8 ahead.

9 GRAND JUROR. Just to clarify since I didn't have
10 it in my notes, the date that Ryan Bundy and others were

11 impeding the cattle auction, that was April 2nd?

12 WITNESS. April 2nd, yes.

13 GRAND JUROR. Thank you.

14 MS. AHMED. And you'll hear evidence that --

15 BY MS. AHMED:

16 Q. And Agent Wooten, is it correct that Ryan Bundy
17 then went back to R Livestock on April 9th, as well? To
18 the extent you know. If not, then the grand jury will be
19 hearing from other witnesses on this event on R Livestock.

20 A. Right now, I don't have Ryan Bundy noted as going
21 back to R Livestock on April 9th.

22 Q. Now, with respect to April 2nd, Ryan Bundy and
23 his followers that showed up at R Livestock on April 2nd,
24 they were actually there looking for Bundy cattle, correct?

25 A. I'm not sure.

1 Q. Ryan Bundy and his followers, to your
2 knowledge, did they know whether Bundy cattle were present
3 at the auction house?

4 A. They didn't know at that time to my knowledge.

5 Q. And, in fact, they did more than protest,
6 correct, they actually disrupted R Livestock's business?

7 A. They did, yes, ma'am.

8 Q. Now, and Ryan Bundy also, as you mentioned
9 earlier, he made statements that it was his intention, if
10 necessary, to use force at R Livestock to get Bundy cattle
11 back?

12 A. Yes, ma'am.

13 MS. AHMED. Any other questions?

14 GRAND JUROR. Yeah, can you give us details on
15 how he disrupted the auction on April 2nd?

16 WITNESS. The reports I read are a little vague
17 on that. It appears that he went into --

18 MS. AHMED. Sorry, I don't mean interrupt, but we
19 will have witnesses who will go into great depth about
20 these events and, you know, you're welcome to answer to the
21 extent you know, but there will be witnesses who can go in
22 greater depth about these events brought before you in just
23 a couple weeks.

24 Do you want him to go on and answer it or --

25 WITNESS. I can do it real quick.

1 GRAND JUROR. No, any information he can --

2 MS. AHMED. Feel free to --

3 GRAND JUROR. He said that they were disrupted.

4 I was just curious if you had any details you could

5 provide.

6 WITNESS. Yes, several protestors remained in the

7 parking lot and almost what you would akin to, you know,

8 picketing. And they partially and completely from times

9 blocked the entrance into the parking lot. And then

10 several of them, to include Ryan Bundy, went inside and

11 just their presence in that area and their interaction with

12 the others and their protests stopped the auction for a

13 period of time.

14 BY MS. AHMED:

15 Q. Did they actually -- while the auctioneer was

16 doing his auctioning, were the followers or Ryan Bundy and

17 his followers actually speaking to the customers who were

18 sitting in attendance at the auction?

19 A. That's what this investigation indicated.

20 WITNESS. Yes, sir.

21 GRAND JUROR. The -- so in '98, when, I guess,

22 the court order about the Bunkerville Allotment -- the

23 outline indicates the Bunkerville Allotment, but the

24 National Park lands initially wasn't included in that

25 allotment, in the Bunkerville Allotment, is that correct?

1 WITNESS. That's correct. However, this
2 outline indicates the whole Bunkerville Allotment and New
3 Trespass area now. The Bunkerville Allotment generally is
4 just an area to the northeast and kind of around Cliven
5 Bundy's residence and not down into the Lake Mead National
6 Recreation Area or those other BLM lands to the south.

7 GRAND JUROR. So is it fair to say that if I take
8 that outline and if I just draw purple around it, that
9 would be the Bunkerville Allotment? Or is there -- is
10 that --

11 WITNESS. No, not necessarily. The Bunkerville
12 Allotment was smaller than the brown that you see in the
13 outline.

14 GRAND JUROR. Was there -- I don't know if you
15 can answer this question, but was there any indication that
16 Bundy had attempted to move his cattle out of that
17 Bunkerville Allotment from the court order? Did he just
18 continue to have his cattle where they are and then all of
19 a sudden they started going into that additional locations
20 [sic]?

21 MS. AHMED. To the -- I would just preface that
22 with to the extent that you have an understanding of this,
23 based on your investigation, of how the cattle spread in
24 the area, then feel free to answer.

25 WITNESS. There was no indication in this

1 investigation that he ever attempted to move the cattle
2 out in order to comply with the court order. However, he
3 did move cattle out from time to time to sell. Once he got
4 them trapped and then gathered, then he would sell them.
5 So in that sense, he did move cattle, but not in order to
6 be in compliance with the court order.

7 BY MS. AHMED:

8 Q. Can you explain to the grand jury your
9 understanding of how the cattle ended up spreading
10 throughout the area depicted in Grand Jury Exhibit 22?

11 A. This investigation has indicated that as Lake
12 Mead has receded and then just generally along Lake Mead
13 there is green vegetation, that the cattle found their way
14 more south and more west to take advantage of that green
15 vegetation along Lake Mead. So it was a natural process of
16 dispersion.

17 Q. Did Cliven Bundy, to your knowledge, do anything
18 to stop the spread of his cattle to the New Trespass Lands?

19 A. No, ma'am.

20 GRAND JUROR. And basically then he -- the court
21 order about the New Trespass Lands was because of the fact
22 that they had spread into the National Park Service land,
23 that that came about?

24 WITNESS. Yes, sir. And that previous court
25 order only covered the Bunkerville Allotment, so the new

1 court order was required to cover the New Trespass Lands.

2 Yes, sir.

3 GRAND JURY FOREPERSON. Go ahead.

4 GRAND JUROR. Yes, sir, two questions for you.

5 Prior to 1998, did Cliven Bundy make payments for grazing
6 during your investigation?

7 WITNESS. Yes, sir.

8 GRAND JUROR. He did make payments?

9 WITNESS. Yes, sir.

10 GRAND JUROR. And then my second question is the
11 Bunkerville Allotment, which took place I guess during --
12 after 1998, did that only cover for this particular area or
13 did it cover the whole state of Nevada?

14 MS. AHMED. Are you speaking about the 1998
15 judgment or --

16 GRAND JUROR. No, I'm talking about the new
17 Bunkerville Allotment.

18 MS. AHMED. Or the New Trespass Lands, is that
19 what you're asking about?

20 GRAND JUROR. It was small and got big. That's
21 what I'm getting at.

22 WITNESS. The small was the Bunkerville Allotment
23 and then it got big to include the New Trespass Lands.

24 GRAND JUROR. Okay. So did that particular
25 change just happen in Bunkerville area or did it happen

1 throughout the state of Nevada?

2 WITNESS. No, just here in the Bunkerville area.

3 GRAND JUROR. So just here?

4 MS. AHMED. Well, I don't know that I understand
5 the question, so I'm not sure what --

6 GRAND JUROR. My question is let's say --

7 MS. AHMED. Like are you wondering the allotment
8 was no longer called an allotment or --

9 GRAND JUROR. No, my question is why did the
10 allotment change, the grazing area change only in
11 Bunkerville, not throughout the state of Nevada?

12 MS. AHMED. I don't know --

13 BY MS. AHMED:

14 Q. To the extent you are actually aware of whether
15 or not anything else changed in the state of Nevada or, I
16 mean, exclusively in Bunkerville?

17 A. I'm only aware of this one.

18 GRAND JUROR. Only this one, okay.

19 BY MS. AHMED:

20 Q. So in terms of the court orders, just to clarify
21 what we're talking about, now the 1998 order only addressed
22 the cattle in the Bunkerville Allotment, because that's
23 generally where Cliven Bundy trespass cattle were found on
24 public lands as of that time, correct?

25 A. Yes, ma'am.

1 Q. Now, the reason that the 2013 order addressed
2 the New Trespass Lands, which is that greater area depicted
3 in Grand Jury Exhibit 22, is simply because that's where
4 the cattle had wandered out to, correct?

5 A. Yes, ma'am.

6 Q. That wasn't a change that was forced by the BLM,
7 correct? That was just where the cattle had gone?

8 A. Correct, that's just where they ended up.

9 MS. AHMED. Any other questions? Go ahead.

10 GRAND JUROR. Yeah, to be clear, the New Trespass
11 area was never established as a grazing area nor were fees
12 demanded or paid by Cliven Bundy? It was just an area that
13 was declared the New Trespass area, that's where the cattle
14 were in violation of -- well, they were trespassing
15 illegally?

16 MS. AHMED. Correct.

17 GRAND JUROR. There was no previous agreement
18 either '98 and before or '98 and after that the cattle
19 could graze there?

20 MS. AHMED. Correct, but Cliven Bundy -- well,
21 excuse me.

22 BY MS. AHMED:

23 Q. Agent Wooten, I think the question is did Cliven
24 Bundy ever have authority from the BLM to answer the -- or
25 to graze his cattle in any area depicted in Grand Jury

1 Exhibit 22 that's not a part of that Bunkerville

2 Allotment?

3 A. Not that this investigation indicated at all.

4 GRAND JUROR. Thank you.

5 GRAND JURY FOREPERSON. Any further questions?

6 No further questions. Thank you. You can be
7 excused.

8 (Whereupon, the witness was excused at
9 2:30 p.m. on September 2, 2015.)

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C E R T I F I C A T E

I hereby certify that the foregoing is a true and accurate transcript, to the best of my skill and ability, from my reporting notes of this proceeding.

September 16, 2015
Date

15/9
Bonnie Terry
Court Reporter

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